

**Information to identify the case:**

Debtor 1 Ervin Lewis Burke  
First Name \_\_\_\_\_ Middle Name \_\_\_\_\_ Last Name \_\_\_\_\_  
  
Debtor 2 \_\_\_\_\_  
(Spouse, if filing) First Name \_\_\_\_\_ Middle Name \_\_\_\_\_ Last Name \_\_\_\_\_  
  
United States Bankruptcy Court **Eastern District of Virginia**  
Case number: **19-50853-FJS**

Social Security number or ITIN **xxx-xx-4055**  
EIN \_\_\_\_\_  
Social Security number or ITIN \_\_\_\_\_  
EIN \_\_\_\_\_  
Date case filed for chapter **7 6/17/19**

**Official Form 309A (For Individuals or Joint Debtors)**

**Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline**

12/15

For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read all pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

**Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.**

<b>About Debtor 1:</b>		<b>About Debtor 2:</b>
<b>1. Debtor's full name</b>	Ervin Lewis Burke	
<b>2. All other names used in the last 8 years</b>	dba Burkes Towing LLC	
<b>3. Address</b>	1821 Gildner Rd Hampton, VA 23666-4341	
<b>4. Debtor's attorney</b> Name and address	Kenneth E. Goolsby Alliance Legal Group 133 Mount Pleasant Road Chesapeake, VA 23322	Contact phone 757-482-5705 Email: <a href="mailto:kenny@call54legal.com">kenny@call54legal.com</a>
<b>5. Bankruptcy trustee</b> Name and address	David R. Ruby Thompson McMullan, P.C. 100 Shockoe Slip, Third Floor Richmond, VA 23219	Contact phone (804) 698-6220 Email: <a href="mailto:druby@t-mlaw.com">druby@t-mlaw.com</a>

For more information, see page 2 >

<b>6. Bankruptcy clerk's office</b>	<b>Location of the Bankruptcy Clerk's Office:</b> 2400 West Avenue, Suite 110 Newport News, VA 23607  <b>Mailing Address for Newport News Clerk's Office:</b> 600 Granby Street, Room 400 Norfolk, VA 23510	<b>For the Court:</b>  Clerk of the Bankruptcy Court: William C. Redden  Date: June 18, 2019
<b>McVCIS 24-hour case information:</b> Toll Free 1-866-222-8029	Hours open Monday – Friday, 9:00 AM – 4:00 PM ET, except on holidays.  Contact phone 757-222-7500	
<b>7. Meeting of creditors</b>	<b>July 22, 2019 at 10:00 AM</b>	Location:  <b>Office of the U. S. Trustee, Peninsula Business Center II, 11751 Rock Landing Drive, Suite H1, Newport News, VA 23606</b>
<b>8. Presumption of abuse</b>	Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.	Insufficient information has been filed to date to permit the clerk to make any determination concerning the presumption of abuse. If more complete information, when filed, shows that the presumption has arisen, creditors will be notified.
<b>9. Deadlines</b>	<b>File by the deadline to object to discharge or to challenge whether certain debts are dischargeable:</b>  <b>You must file a complaint:</b> <ul style="list-style-type: none"><li>• if you assert that the debtor is not entitled to receive a discharge of any debts under any of the subdivisions of 11 U.S.C. § 727(a)(2) through (7), or</li><li>• if you want to have a debt excepted from discharge under 11 U.S.C. § 523(a)(2), (4), or (6).</li></ul> <b>You must file a motion:</b> <ul style="list-style-type: none"><li>• if you assert that the discharge should be denied under § 727(a)(8) or (9).</li></ul> <b>Deadline to object to exemptions:</b> The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.	<b>Filing deadline: September 20, 2019</b>  <b>Filing deadline:</b> 30 days after the conclusion of the meeting of creditors
<b>10. Proof of claim</b>	No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.	
<b>11. Creditors with a foreign address</b>	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	

For more information, see page 3 >

<b>12. Exempt property</b>	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> . If you believe that the law does not authorize an exemption that the debtors claim, you may file an objection. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 9.
<b>13. Local Rule Dismissal Warning</b>	Case may be dismissed for failure to timely file lists, schedules and statements, or to attend meeting of creditors. (Local Bankruptcy Rules 1007-1, 1007-3, and 2003-1.) Trustee may at the meeting give notice of intention to abandon property burdensome or of inconsequential value or intent to sell nonexempt property that has an aggregate gross value less than \$2,500. Objections thereto must be filed pursuant to Local Bankruptcy Rules 6004-2 and 6007-1.
<b>14. Manner of Payment of Fees</b>	<b>Newport News:</b> non-debtor's check, money order, cashier's check or any authorized non-debtor's credit card; cash is NOT accepted at Newport News location. <b>Norfolk:</b> same as above; however, effective December 16, 2013, cash is accepted – ONLY in the exact amount due for payment of fees and services.

*Electronic bankruptcy notices are delivered faster than the U.S. Mail if you have a PC with Internet connection or a Fax machine. For more information, go to [bankruptcynotices.uscourts.gov](http://bankruptcynotices.uscourts.gov) or call, toll free: 877-837-3424. Case/docket information available on Internet @ [www.vaeb.uscourts.gov](http://www.vaeb.uscourts.gov)*

**ATTENTION DEBTORS:** Receive your court notices and orders by email through the DeBN. Same-day delivery. Convenient Access. Free. For more information and to download the request form, go to [www.vaeb.uscourts.gov](http://www.vaeb.uscourts.gov) and select the Debtor Electronic Bankruptcy Noticing link from the ATTENTION DEBTORS DeBN banner.

**Certificate of Notice Page 4 of 4**  
**United States Bankruptcy Court**  
**Eastern District of Virginia**

In re:  
 Ervin Lewis Burke  
 Debtor

Case No. 19-50853-FJS  
 Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0422-6

User: griffin  
Form ID: 309APage 1 of 1  
Total Noticed: 16

Date Rcvd: Jun 18, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 20, 2019.

db	Ervin Lewis Burke, 1821 Gildner Rd, Hampton, VA 23666-4341
14904647	+Alstate Insurance, 2775 Sanders Rd, Northbrook, IL 60062-6127
14904651	+Dominion Energy, P.O. Box 26543, Richmond, VA 23290-0001
14904652	Hunt Construction, PO Box 201, Hampton, VA 23669-0201
14904654	+Last Chance Funding, 411 HEMPSTEAD TURNPIKE, West Hempstead, NY 11552-1350
14904655	+Loan Care Servicing, PO Box 8068, Virginia Beach, VA 23450-8068
14904657	Prime Insurance Co, 8722 S 300 W, Sandy, UT 84070-1420
14904658	+Samuel I White, PC, 5040 Corporate Woods Drive, Suite 120, Virginia Beach, VA 23462-4377
14904659	+Wide Merchant Group, 3131 Eastside St, Suite 350, Houston, TX 77098-1947

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

aty	E-mail/Text: kenny@call54legal.com Jun 19 2019 03:48:11 Kenneth E. Goolsby, Alliance Legal Group, 133 Mount Pleasant Road, Chesapeake, VA 23322
tr	+E-mail/Text: druby@iq7technology.com Jun 19 2019 03:57:01 David R. Ruby, Thompson McMullan, P.C., 100 Shockoe Slip, Third Floor, Richmond, VA 23219-4140
14904648	+EDI: BANKAMER.COM Jun 19 2019 07:28:00 Bank of America, PO Box 15222, Wilmington, DE 19886-5222
14904649	+E-mail/Text:wmagner@beaconfunding.com Jun 19 2019 03:55:56 Beacon Funding, 3400 Dundee Rd #180,, Northbrook, IL 60062-2367
14904653	EDI: IRS.COM Jun 19 2019 07:28:00 Internal Revenue Svc.-CIO, PO Box 7346, Philadelphia, PA 19101-7346
14904656	E-mail/Text: n.gong@mantisfunding.com Jun 19 2019 03:48:14 Mantis Funding, 64 Beaver Street, Suite 344, New York, NY 10004-2508
14904650	E-mail/Text: bkr@taxva.com Jun 19 2019 03:56:34 Commonwealth Of Virginia, Department of Taxation, P.O. Box 1880, Richmond, VA 23218-1880

TOTAL: 7

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 20, 2019

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 18, 2019 at the address(es) listed below:

David R. Ruby	druby@t-mlaw.com, bankruptcyassistant@t-mlaw.com;druby@iq7technology.com
John P. Fitzgerald, III	ustpregion04.no.ecf@usdoj.gov
Kenneth E. Goolsby	on behalf of Debtor Ervin Lewis Burke kenny@call54legal.com, bkdocs@call54legal.com;bankruptcyattorney@call54legal.com;Kenny@ecf.courtdrive.com;molly@call54legal.com;Katie@call54legal.com;Kennygoolsbybk@gmail.com

TOTAL: 3